

**NOTICE OF APPEAL FROM THE EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES**

Attorney Docket No.:
DIVER1280-17

In re Application of:
Short et al.

Application No.:
09/975,036

Filed:
October 10, 2001

For:
HIGH THROUGHPUT OR
CAPILLARY-BASED SCREENING FOR A
BIOACTIVITY OR BIOMOLECULE

Group Art Unit:
1634

Examiner:
C.J. Myers

MAIL STOP AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated July 21, 2004 of the Examiner rejecting claims 1-24 and 41-46.

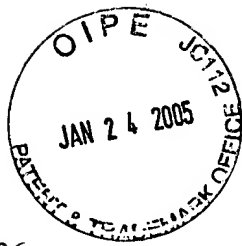
1.	X	Appeal Fee (37 C.F.R. 1.17(b))	
		other than small entity	\$500.00
	X	SMALL ENTITY	\$250.00

2.	X	A petition and fee for an extension of time for reply to the rejection is attached.							
X	Extension Fee (37 C.F.R. 1.17(a))								
		Other than small entity							
		\$120.00		\$450.00		\$1,020.00		\$1,590.00	
X	SMALL ENTITY								
00000066	09975035	\$60.00		\$225.00	X	\$510.00		\$795.00	

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3.	X	Enclosed is Check No. 573576 in the amount of \$760.00; which consists of \$250.00 for the appeal fee and \$510.00 for Three (3) Month Extension of Time fee. The Commissioner is hereby authorized to charge any other fees that may be associated with this communication, or credit any overpayment, to Deposit Account No. 07-1896.
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Respectfully submitted,

Date: January 21, 2005

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San Diego, CA 92121-2133

USPTO CUSTOMER NO. 28213

CERTIFICATION UNDER 37 CFR § 1.8

I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service with sufficient postage as first class mail on this date, **January 21, 2005**, in an envelope addressed to: MAIL STOP AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Lisa E. Jambeau

(Name of person mailing paper)

Signature

January 21, 2005

Date